

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN E. ANDRUS MEMORIAL, INC.
(d/b/a ANDRUS ON HUDSON),

Plaintiff,

Civil Action No. 07 CV. 3432 (CLB) (MDF)

— vs —

RICHARD F. DAINES, as Commissioner of the New York
State Department of Health,

Defendant,

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

I **Jonathan A Messinger** being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the **23RD** day of **APRIL, 2008** at **2:57 PM** I served a true copy of the

ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF WITH TEMPORARY RESTRAINING ORDER upon

JOHN GASIOR, ESQ, ASSISTANT ATTORNEY GENERAL, delivering to, and leaving a true copy thereof at their offices, located at

**OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK
120 BROADWAY
24TH FLOOR
NEW YORK, NY 10271**


with **WILHELMINA HOUSTON, KEYBOARD SPECIALIST** personally, who at the time of service stated she was authorized to accept service on behalf of the **NEW YORK STATE ATTORNEY GENERAL'S OFFICE**.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows.

SEX: **FEMALE** SKIN: **BLACK** HAIR: **BLACK**
APP.AGE: **40** APP. HT: **5'4"** APP. WT: **140**

Sworn to before me
This 24th day of April 20 08


Jonathan A Messinger
lic # 1136390


DAVID MOURA JR.
NOTARY PUBLIC, State of New York
No. 8120204-0006
Qualified in Suffolk County
Commission Expires October 5, 2010

2010